

Washington, DC 20005-3807
T +1 202 626 3600

whitecase.com

February 20, 2024

VIA ECF

The Honorable Sarah J. Netburn
United States Magistrate Judge
U.S. District Court for the Southern District of New York
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, New York 10007

In re Terrorist Attacks on Sept. 11, 2001, Case No. 1:03-md-1570-GBD-SN (S.D.N.Y.)

Dear Judge Netburn:

Al Rajhi Bank and Plaintiffs with claims against the Bank write to respectfully request the Court's approval of (1) a modified schedule for the filing of Plaintiffs' jurisdictional averment,¹ and (2) a briefing schedule for the Bank's renewed motion to dismiss, with accompanying averments and submissions in the form contemplated by Local Civil Rule 56.1. The Parties agree as follows:

- Plaintiffs' jurisdictional averment to be filed by March 8, 2024.
- Al Rajhi Bank's renewed motion to dismiss to be filed by May 7, 2024, with its opening brief limited to 50 pages.
- Plaintiffs' opposition to the Bank's renewed motion to dismiss to be filed by July 1, 2024, with a page limit of 60 pages.
- Al Rajhi Bank's reply brief to be filed by August 8, 2024, with a page limit of 25 pages.

For admissibility challenges, including as to expert testimony, the Parties agree to use the procedures set forth at pages 4-5 of this Court's Order at ECF No. 9026. The Parties acknowledge that, including as to challenges to expert testimony, "[i]f complex evidentiary issues arise, the Court will consider whether additional briefing is warranted." *Id.*

¹ The Court's Scheduling Order at ECF No. 9444 provided that expert depositions were to be "completed by January 31, 2024, or a date soon thereafter, by agreement of the parties." By agreement of the parties, the depositions of the Bank's four experts were conducted between January 31, 2024 and February 9, 2024, to accommodate the schedules of the experts.

The Honorable Sarah J. Netburn
February 20, 2024

Respectfully submitted,

/s/ Nicole Erb

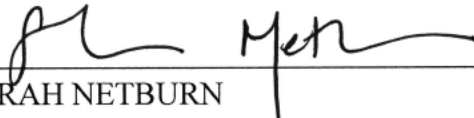
Christopher M. Curran
Nicole Erb
Nicolle Kownacki
Reuben J. Sequeira
Michael Mahaffey

Counsel for Al Rajhi Bank

cc: Counsel of Record (via ECF)

The parties' joint request is GRANTED. The Plaintiffs' jurisdictional averment and Al Rajhi Bank's renewed motion to dismiss will be filed in accordance with the schedule and procedures detailed in this letter.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

Dated: February 26, 2024
New York, New York